

Approved by OMB
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Call Sign: S2678

STARONE C2 @ 70 W.L.

FCC APPLICATION FOR SPACE AND EARTH STATION:MOD OR AMD - MAIN FORM

FCC Use Only

FCC 312 MAIN FORM FOR OFFICIAL USE ONLY

APPLICANT INFORMATION

Enter a description of this application to identify it on the main menu:

Modification to Permitted Space Station List Declaratory Ruling for Star One C2 Satellite at 70 W.L.

1-8. Legal Name of Applicant

Name:	Star One S.A.	Phone Number:	552121219126
DBA Name:		Fax Number:	552121219321
Street:	Praia de Botafogo 228, 3o. and Rio de Janeiro	E-Mail:	lprates@starone.com.br
City:		State:	
Country:	Brazil	Zipcode:	-
Attention:	Mr Luiz Prates		

See also SAT-AMD-20051118-00223



File # SAT-MOD-20051014-00200

Call Sign S2678 Grant Date 4/20/06
(or other identifier)

Term Dates
From - To: -

Approved: [Signature]
Policy Branch Chief

ATTACHMENT
IBFS File Nos. SAT-MOD-20051014-00200 and
SAT-AMD-20051118-00223
April 20, 2006

Pursuant to Sections 303(r), 308, 309, and 310 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 303(r), 308, 309, 310, and Sections 0.261 and 25.137(c) of Federal Communication Commission (Commission) rules, 47 C.F.R. §§ 0.261, 25.137(c), Star One SA's (Star One) request, IBFS File No. SAT-MOD-20051014-00200, as amended by SAT-AMD-20051118-00223, for modification of its entry¹ on the Commission's Permitted Space Station List (Permitted List) for the Star One C2 satellite (Call Sign S2678) at the 70° W.L. orbital location is GRANTED. Specifically, we modify Star One C2's entry on the Permitted List to delete service to, from, or within the United States using the C-band frequencies 5925-6425 MHz (Earth-to-space) and 3700-4200 MHz (space-to Earth).² Accordingly, each U.S.-licensed earth station with "ALSAT" designated as a point of communication, may provide Fixed Satellite Services (FSS) in the 14000-14500 MHz (Earth-to-space), and 11700-12200 MHz (space-to-Earth) frequency bands, to, from, or within the United States, by accessing the Star One C2 satellite (Call Sign S2678) at the 70° W.L. orbital location, in accordance with the terms, conditions, and technical specifications set forth in its application, the Commission's rules, the *September 9, 2005 Permitted List Entry*, and the following conditions:

1. Star One's request for waiver of the frequency reuse requirement of section 25.210(f), 47 C.F.R. § 25.210(f), with respect to the Ku-band payload IS GRANTED as conditioned. Section 25.210(f) requires all FSS space stations to employ state-of-the-art full frequency reuse either through the use of orthogonal polarizations within the same beam and/or the use of spatially independent beams. The full-frequency reuse requirements were designed to ensure that satellites maximized the use of their transponder capacity to the benefit of the public.³ The Commission has waived these requirements where, as in the case of Star One C2 at 70° W.L., doing so would allow satellite capacity that would otherwise lay dormant to be used to provide service as long as such use does not preclude a

¹ SAT-PPL-20050708-00144, authorized by grant stamp on September 9, 2005 (*September 9, 2005 Permitted List Entry*), Public Notice, Report No. SAT-00318 (rel. September 9, 2005).

² Star One's modification also noted a change to the feeder-link and on station telemetry, tracking and command (TT&C). Specifically, the center frequency for the feeder-link transmission will be at 6424.5 MHz (C-band) and the center frequencies for the on-station TT&C transmissions will be from 4199.0 and 4199.9 MHz (C-band) and from 11.7005 GHz and 12.1993 GHz (Ku-band). These operations will not be to, from, or within the United States so they are not subject to the Permitted List entry.

³ *Licensing of Space Stations in the Domestic Fixed-Satellite Service and Related Revisions of Part 25 of the Rules and Regulations*, Report and Order, CC Docket No. 81-704, 54 RR 2d 577, 598 (para. 70) (1983) (*Two-Degree Spacing Order*). See also Systematics General Corporation, *Memorandum Opinion and Order*, FCC 85-421, 103 FCC 2d 879, 881 (para. 6) (1985) (*1985 Systematics Order*).

state-of-the-art satellite from operating at this location.⁴ Grant of this waiver request is consistent with our precedent.⁵ To allow the public to receive service from an additional competitor, we grant Star One a waiver of these full-frequency reuse requirements. Star One C2's operations at 70° W.L., however, are authorized conditioned upon it accommodating future satellite networks serving the United States that are two-degree compliant.

2. In light of the deletion of authority to provide C-band services to, from, or within the United States, the conditional waiver of the Section 25.210(a)(3) requirement that C-band Fixed Satellite Service space stations be capable of switching polarity upon ground command granted in the *September 9, 2005 Permitted List Entry* no longer applies to STAR One C2 at 70° W.L. Similarly, the conditional waiver of the Section 25.211(a) requirement that C-band analog video transmissions occur at specific center frequencies no longer applies to the STAR One C2 at 70° W.L.

3. Other than these changes to reflect the updated technical specifications of the satellite, the conditions of Star One's *September 9, 2005 Permitted List Entry* remain unaffected.

4. This action is taken pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon adoption. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the public notice indicating that this action was taken.

See also
SAT-AMD-
20051118-00223



w/conditions

File # SAT-MOD-20051014-00200

S2678

Call Sign Grant Date 4/20/06

(or other identifier)

Term Dates

From To

Approved: [Signature]

Policy Branch Chief

⁴ See, e.g., Systematics General Corporation, For Special Temporary Authority To Operate a Communications Satellite System Providing Domestic Fixed Satellite Service, *Order and Authorization*, DA 87-1699, 2 FCC Rcd 7550 (1987) (authorizing the TDRS-1 and TDRS-3 satellites, which did not meeting the full frequency reuse requirement, to provide service from the 41° W.L. and 62° W.L. orbit locations until those locations were ready to be occupied by compliant satellites). See also Columbia Communications Corporation, *Memorandum Opinion, Order, and Authorization*, 7 FCC Rcd 122, 123 (para. 15) (1991) (*Columbia Full Frequency Reuse Waiver Order*).

⁵ See *Columbia Full Frequency Reuse Waiver Order*, 7 FCC Rcd at 123 (para. 15).

9-16. Name of Contact Representative

Name:	Alfred Mamlet	Phone Number:	202-429-3000
Company:	Steptoe & Johnson LLP	Fax Number:	202-429-3902
Street:	1330 Connecticut Avenue, N.W.	E-Mail:	amamlet@steptoe.com
City:	Washington	State:	DC
Country:	USA	Zipcode:	20036-1795
Attention:		Relationship:	Legal Counsel

CLASSIFICATION OF FILING

17. Choose the button next to the classification that applies to this filing for both questions a. and b. Choose only one for 17a and only one for 17b.

- ☐ a1. Earth Station
- ☒ a2. Space Station

- (N/A) b1. Application for License of New Station
- (N/A) b2. Application for Registration of New Domestic Receive-Only Station
- ☐ (N/A) b3. Amendment to a Pending Application
- ☒ (N/A) b4. Modification of License or Registration
- b5. Assignment of License or Registration
- b6. Transfer of Control of License or Registration
- ☐ (N/A) b7. Notification of Minor Modification
- (N/A) b8. Application for License of New Receive-Only Station Using Non-U.S. Licensed Satellite
- (N/A) b9. Letter of Intent to Use Non-U.S. Licensed Satellite to Provide Service in the United States
- ☐ (N/A) b10. Other (Please specify)

<p>17c. Is a fee submitted with this application?</p> <p><input type="radio"/> If Yes, complete and attach FCC Form 159. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114).</p> <p><input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial educational licensee</p> <p><input checked="" type="radio"/> Other (please explain): Permitted Space Station List Declaratory Ruling</p>	
<p>17d.</p> <p>Fee Classification BFY – Space Station Modification (Geostationary)</p>	
<p>18. If this filing is in reference to an existing station, enter:</p> <p>(a) Call sign of station: S2678</p>	<p>19. If this filing is an amendment to a pending application enter both fields, if this filing is a modification please enter only the file number:</p> <p>(a) Date pending application was filed: (b) File number: SATPPL2005070800144</p>

TYPE OF SERVICE

20. NATURE OF SERVICE: This filing is for an authorization to provide or use the following type(s) of service(s): Select all that apply:

- ☒ a. Fixed Satellite
- ☐ b. Mobile Satellite
- ☐ c. Radiodetermination Satellite
- ☐ d. Earth Exploration Satellite
- ☐ e. Direct to Home Fixed Satellite
- ☐ f. Digital Audio Radio Service
- ☐ g. Other (please specify)

21. STATUS: Choose the button next to the applicable status. Choose only one.

- ☐ Common Carrier ☒ Non-Common Carrier

22. If earth station applicant, check all that apply.

- ☐ Using U.S. licensed satellites
- ☐ Using Non-U.S. licensed satellites

23. If applicant is providing INTERNATIONAL COMMON CARRIER service, see instructions regarding Sec. 214 filings. Choose one. Are these facilities:

- ☐ Connected to a Public Switched Network ☐ Not connected to a Public Switched Network ☒ N/A

24. FREQUENCY BAND(S): Place an 'X' in the box(es) next to all applicable frequency band(s).

- ☒ a. C-Band (4/6 GHz) ☒ b. Ku-Band (12/14 GHz)
- ☐ c. Other (Please specify upper and lower frequencies in MHz.)

Frequency Lower: Frequency Upper: (Please specify additional frequencies in an attachment)

TYPE OF STATION

25. CLASS OF STATION: Choose the button next to the class of station that applies. Choose only one.

- ☐ a. Fixed Earth Station
- ☐ b. Temporary-Fixed Earth Station
- ☐ c. 12/14 GHz VSAT Network
- ☐ d. Mobile Earth Station
- ☐ e. Geostationary Space Station
- ☐ f. Non-Geostationary Space Station
- ☒ g. Other (please specify) Permitted Space Station List

26. TYPE OF EARTH STATION FACILITY:

- ☐ Transmit/Receive ☐ Transmit-Only ☐ Receive-Only ☒ N/A

"For Space Station applications, select N/A."

PURPOSE OF MODIFICATION

27. The purpose of this proposed modification is to: (Place an 'X' in the box(es) next to all that apply.)

- ☐ a — authorization to add new emission designator and related service
- ☒ b — authorization to change emission designator and related service
- ☐ c — authorization to increase EIRP and EIRP density
- ☐ d — authorization to replace antenna
- ☐ e — authorization to add antenna
- ☐ f — authorization to relocate fixed station
- ☒ g — authorization to change frequency(ies)
- ☐ h — authorization to add frequency
- ☐ i — authorization to add Points of Communication (satellites & countries)
- ☐ j — authorization to change Points of Communication (satellites & countries)
- ☐ k — authorization for facilities for which environmental assessment and radiation hazard reporting is required
- ☐ l — authorization to change orbit location
- ☐ m — authorization to perform fleet management
- ☐ n — authorization to extend milestones
- ☒ o — Other (Please specify)

ENVIRONMENTAL POLICY

28. Would a Commission grant of any proposal in this application or amendment have a significant environmental impact as defined by 47 CFR 1.1307? If YES, submit the statement as required by Sections 1.1308 and 1.1311 of the Commission's rules, 47 C.F.R. 1.1308 and 1.1311, as an exhibit to this application. A Radiation Hazard Study must accompany all applications for new transmitting facilities, major modifications, or major amendments.

☐ Yes ☒ No

ALIEN OWNERSHIP Earth station applicants not proposing to provide broadcast, common carrier, aeronautical en route or aeronautical fixed radio station services are not required to respond to Items 30–34.

29. Is the applicant a foreign government or the representative of any foreign government?

☐ Yes ☒ No

30. Is the applicant an alien or the representative of an alien?

☒ Yes ☐ No ☐ N/A

31. Is the applicant a corporation organized under the laws of any foreign government?

☒ Yes ☐ No ☐ N/A

32. Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

☒ Yes ☐ No ☐ N/A

33. Is the applicant a corporation directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?

☒ Yes ☐ No ☐ N/A

34. If any answer to questions 29, 30, 31, 32 and/or 33 is Yes, attach as an exhibit an identification of the aliens or foreign entities, their nationality, their relationship to the applicant, and the percentage of stock they own or vote.

Questions 34 and 40

BASIC QUALIFICATIONS

35. Does the Applicant request any waivers or exemptions from any of the Commission's Rules?
If Yes, attach as an exhibit, copies of the requests for waivers or exceptions with supporting documents.

☒ Yes ☐ No

36. Has the applicant or any party to this application or amendment had any FCC station authorization or license revoked or had any application for an initial, modification or renewal of FCC station authorization, license, or construction permit denied by the Commission? If Yes, attach as an exhibit, an explanation of circumstances.

☐ Yes ☒ No

37. Has the applicant, or any party to this application or amendment, or any party directly or indirectly controlling the applicant ever been convicted of a felony by any state or federal court? If Yes, attach as an exhibit, an explanation of circumstances.

☐ Yes

☒ No

38. Has any court finally adjudged the applicant, or any person directly or indirectly controlling the applicant, guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement or any other means or unfair methods of competition? If Yes, attach as an exhibit, an explanation of circumstances

☐ Yes

☒ No

39. Is the applicant, or any person directly or indirectly controlling the applicant, currently a party in any pending matter referred to in the preceding two items? If yes, attach as an exhibit, an explanation of the circumstances.

☐ Yes

☒ No

40. If the applicant is a corporation and is applying for a space station license, attach as an exhibit the names, address, and citizenship of those stockholders owning a record and/or voting 10 percent or more of the Filer's voting stock and the percentages so held. In the case of fiduciary control, indicate the beneficiary(ies) or class of beneficiaries. Also list the names and addresses of the officers and directors of the Filer.

41. By checking Yes, the undersigned certifies, that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21 U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance. See 47 CFR 1.2002(b) for the meaning of "party to the application" for these purposes.

☒ Yes ☐ No

42a. Does the applicant intend to use a non-U.S. licensed satellite to provide service in the United States? If Yes, answer 42b and attach an exhibit providing the information specified in 47 C.F.R. 25.137, as appropriate. If No, proceed to question 43.

☒ Yes ☐ No

Ex 1 to Narrative

42b. What administration has licensed or is in the process of licensing the space station? If no license will be issued, what administration has coordinated or is in the process of coordinating the space station? Brazil

43. Description. (Summarize the nature of the application and the services to be provided). (If the complete description does not appear in this box, please go to the end of the form to view it in its entirety.)

See narrative.

Narrative

CERTIFICATION

The Applicant waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. The applicant certifies that grant of this application would not cause the applicant to be in violation of the spectrum aggregation limit in 47 CFR Part 20. All statements made in exhibits are a material part hereof and are incorporated herein as if set out in full in this application. The undersigned, individually and for the applicant, hereby certifies that all statements made in this application and in all attached exhibits are true, complete and correct to the best of his or her knowledge and belief, and are made in good faith.

44. Applicant is a (an): (Choose the button next to applicable response.)

- ☐ Individual
- ☐ Unincorporated Association
- ☐ Partnership
- ☒ Corporation
- ☐ Governmental Entity
- ☐ Other (please specify)

45. Name of Person Signing
Luiz Otavio Vasconcelos Prates

—>

46. Title of Person Signing
Director of External Affairs

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND / OR IMPRISONMENT
(U.S. Code, Title 18, Section 1001), AND/OR REVOCATION OF ANY STATION AUTHORIZATION
(U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

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